

Exhibit W

Re: Release of escrow

From: Michael Hallman <michaelhallman@me.com>
Subject: Re: Escrow
Date: June 4, 2010 10:46:55 AM EDT
To: Jeffrey Phlegar <jeffrey.phlegar@gmail.com>
Cc: Linda Hallman <lhndah@exeterholding.com>, BRUCE FRANK <bruce@exetercolorado.com>, "PC. Adam David
Markel" <markel@sol.com>, "Jane R. Kratz" <jkatz@kratzlaw.net>, Richard Mohring
<richardmohring@optonline.net>, Tim Bennett <tpbennett@optonline.net>, Nancy Phlegar <nepsep@hotmail.com>
► 1 Attachment, 36.5 KB

Excellent. Thanks.

Mike
On Jun 4, 2010, at 10:32 AM, Jeffrey Phlegar wrote:

Michael-

Your request seems reasonable to me. I will touch base with Jane today and get her point of view and one of us will revert back to you. Looking forward to using the pool and AC this weekend....

Regards, - JP

On Fri, Jun 4, 2010 at 8:46 AM, Michael Hallman <michaelhallman@me.com> wrote:
Good morning Jeff:

I spoke with Majestic and they said that the pool is ready. As far as the HVAC you can go ahead with W&G to level the two condensers, pay them the \$350 and we can deduct that from the escrow. When you have the estimate for the master bedroom HVAC fax that over to me.

As the punch list items concerning the \$40,000 being held in escrow are now 95% completed, I propose that \$35,000 be released less the cost of the pool repair that you will pay Majestic (approximately \$1100) and the cost for leveling the condensers (\$350) that you will pay W&G. The net would be \$33,550. This would leave \$5,000 in escrow for the HVAC in the master bedroom.

I am working on getting someone over to the house for the garage door opener and fireplace, but it will most likely not be this weekend.

Mike

On Jun 1, 2010, at 8:16 PM, Jeffrey Phlegar wrote:

Michael-

Thanks for the prompt reply. Good news on Viking appliances, dun rite appliances came out and got both the ice maker and stove working. The total charge was less than \$200. HVAC company is coming out within the next day or so, will revert immediately thereafter. I am told majestic got the pool heater running today, they are going to heat it up as a test tomorrow. Tim did try to clean and adjust the electric eye on the garage door but was to no avail, similarly with the fireplace. If possible, can you try to arrange for someone to clean up these remaining issues on Saturday? Thanks in advance.

Regards, JP

Sent from my iPhone

On Jun 1, 2010, at 9:47 AM, Michael Hallman <michaelhallman@me.com> wrote:

Good morning Jeff:

Focusing on the last sentence, I am certainly glad that you think that the house is beautiful. That said, let's go to the issues:

1) Master bath plumbing: I would expect the contractors to answer the way that they did. An attempt to minimize their

liability. My plumber said that there were no problems at all and that some outside substance other than water had caused the clog. Unless they fees up we will just have to use our imaginations as to what the outside substance was.

2) A/C: Fax over the estimate: 616 338 7538

3) Pool: There is no light in the pool.

4) There are definitely phone lines to the house as we had an alarm hook-up to a central station. Cable may not have been run.

5) Fireplace had been working when we closed. I will arrange to have a fireplace man come by.

6) Stove/Ice Maker: Let me know what they say. The price I had for parts and labor to fix was in the neighborhood of \$200.

7) Garage door: Sound like a minor adjustment that Tim could probably handle himself, but if he can't let me know.

Have a great day.

pool

Mike
On May 31, 2010, at 8:48 PM, Jeffrey Phlegar wrote:

Michael-

At last we were able to spend the weekend at 29 mill farm. I wanted to provide you with an update on outstanding issues:

- master bathroom plumbing appears to be working. According to the cleaners and electrician that were in the house, the only thing that went down the toilet was human waste, nothing extraordinary and a bit of a concern that it travelled down the rafters after backing up the toilet and into the garage. There is paint work and spackelling that we are going to need to have done. Not sure if your plumber reported anything different and/or found anything that would suggest this was not the case - please let me know before we have the wall board repaired;

- air conditioning: all zones with the exception of the master are working well and cooling properly. The master is NOT cooling. Please let us know if we should get an estimate from our hvac guy, or if you have an hvac specialist; per nancys email last week, we were told that the ac units are not sitting steady and need to be adjusted - we have an estimate and can fax it over;

- pool: unfortunately despite the beautiful weather, my children could not go swimming as the heater is not working. As you know, we hired majestic pools (Paul) and he needed additional parts (which arrived Saturday), but require a specialist to install - I believe he is anticipating it will be fixed/working this week, the pool was opened first week of May and it took an extraordinary amount of time to get the water clear; also, do you recall if there is a light in the pool and where the switch might be? I have never seen a pool of this sort without lighting

- Cablevision: do you know if cable/phone lines were drawn from the house to the street? We had three separate technicians come by on Saturday and the mystery remains unsolved - any helpful hints would be appreciated;

- fireplaces are still an outstanding item - gas is on in house, can't get fireplaces to fire up;

- stove and ice maker: given your serviceman's concern about our newly surfaced floors and the desire to get these issues resolved quickly, I have placed a service call with a Viking authorized service provider, they will be coming by on June 1st and I will keep you informed;

- garage doors are still not closing properly - per several prior emails, the button on the large door must be held down in order to get it to close (same as orgl problem per inspector);

I am sure you are as keen to get the escrow released as I am to have a fully functioning new home. I hope that we can resolve the remaining items quickly. Nancy will be at the house until around 2pm on Tuesday, then we are back out for the weekend. Feel free to arrange for any service contractors to come by over the weekend. Unfortunately, firms schedule is quite challenging - so best to coordinate around our schedule instead. If you would prefer for us to resolve directly and deduct from escrow balance, we can do that as well.

Finally, I hate to have to bother you with all of these crazy issues. Given that many of the systems have 10 months of the new home warranty remaining, please let me know how best to direct any additional issues. While this note may

LindaH

From: "Michael Haltman" <mhaltman@hallmarkabstractllc.com>
To: "Enzo Morabito" <enzo.morabito@ellman.com>
Cc: "PC, Adam David Markel" <markel@laptop.com>; "Linda Haltman" <lindah@exeterholding.com>
Sent: Wednesday, February 10, 2010 1:15 PM
Subject: Re: Warranty
Enzo:

Just wanted to make sure you remember that if they are still not satisfied there are warranties that can be purchased from outside vendors. Keep that one in your back pocket.

Mike

Michael Haltman, Partner
Hallmark Abstract Service LLC
131 Jericho Turnpike, Suite 205
Jericho, New York 11753
516.741.4723 (P)
516.338.7538 (F)
mhaltman@hallmarkabstractllc.com
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AGAIN, BOARDING A PLANE IN A FEW MINUTES. HOPEFULLY, THIS CAN BE TIED UP
QUICKLY.

REGARDS,

Mike

On Feb 23, 2010, at 4:23 PM, Jeffrey Phlegar wrote:

Michael-

I just spoke with my attorney, we connected and went through some of the outstanding items. Jane is going to forward to you the engineers report and speak with your attorney regarding some questions related to limits, time periods, etc on the warranties. I have one of my analysts taking a look at National Home Insurance, admittedly I am not familiar with it. Once they speak and clear up the remaining items we can schedule the contract signing and begin pulling the required documents. I will be returning to NYC tomorrow evening. Look forward to speaking with you then.

Regards,

On Tue, Feb 23, 2010 at 2:58 PM, Michael Haltman <mhaltman@hallmarkabstractllc.com> wrote:

Hi Jeff:

Just wanted to check-in to see if you and Jane have come to any determination on the structural warranty and engineers report. We have our contractors on hold to take care of the punch list items, and want to get an idea of a timeframe for them. We are hoping to still be in a position to close by the end of the month. Speak to you soon.

Mike

Michael Haltman, Partner
Hallmark Abstract Service LLC
131 Jericho Turnpike, Suite 205
Jericho, New York 11753
516.741.4723 (P)
516.338.7538 (F)
mhaltman@hallmarkabstractllc.com
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To: "Enzo Morabito" <enzo.morabito@elliman.com>
Cc: "Linda Haltman" <lindah@exeterholding.com>; "BRUCE FRANK" <brucef@exetercolorado.com>; <arnoldfrank6@aol.com>; "PC, Adam David Markel" <markel.esq@aol.com>
Sent: Thursday, February 18, 2010 6:00 PM
Attach: ChoiceHo.pdf; ATT23774.htm; ChoiceTe.pdf; ATT23777.htm
Subject: Warranty

Hey Enzo:

The attached warranty would be for five years and cover everything on the list as well as pool, roof leak and central vac. In the other file are the terms and conditions of the warranty. The cost for the five years is a total of \$2,360. Take a look and see if you think this would be satisfactory along with our corporate warranty. It is like wearing a tuxedo with a belt and suspenders.

Let me know.

Mike

warranty + Exeter

7/15/2011

E000179

Page 1 of 1

LindaH

From: "Michael Haltman" <mholtman@hallmarkabstractllc.com>
To: "Majestic Waters Inc." <DougFierst@hotmail.com>
Cc: "Linda Haltman" <lindah@exeterholding.com>
Sent: Tuesday, March 30, 2010 7:07 AM
Subject: Re: Pool at 29 Mill Farm

Hi Doug:

We closed on the house and I wanted to give you the buyers name and email so you can try and bring him on as a customer. He has a guy working for him out there, Tim Bennett, who probably has his own company he works with, but you never know.

The owners name is Jeffrey Phlegar and his email address is jeffrey.phlegar@gmail.com. Tim Bennett is at tpbennett@optonline.net but you might want to Jeffrey first.

I know there is some work to do, but I know you would be good and fair and I have money tied up in escrow for a working pool.

Let me know,

Miko

Michael Haltman, Partner
Hallmark Abstract Service LLC
131 Jericho Turnpike, Suite 205
Jericho, New York 11753
516.741.4723 (P)
516.338.7538 (F)
mholtman@hallmarkabstractllc.com
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LindaH

From: "Michael Haltman" <mholtman@hallmarkabstractllc.com>
To: "Jeffrey Phlegar" <jeffrey.phlegar@gmail.com>
Cc: "Linda Haltman" <lindah@exeterholding.com>; "PC. Adam David Markel" <markeslsq@aol.com>; "Jane R. Kratz" <jkratz@kratzlaw.net>; "Richard Mohring" <richardmohring@optonline.net>
Sent: Tuesday, March 09, 2010 3:49 PM
Subject: Re: Heat over garage

Hi Jeff:

Just got back from the house with my contractor who we have worked with on new construction on the East End as well as Marco Island Florida. The boiler will be going in towards the end of the week and a plumber and electrician will be at the house as well. The rain will delay the roof work, but that will be done next week.

We will come out Saturday along with our contractor to meet you, and just need to know the time.

You need to sign the attached document for the warranty and scan it back to me, and then mail me the original to my office address.

Let me know if you have any questions.

Mike

On Mar 9, 2010, at 11:03 AM, Jeffrey Phlegar wrote:

We would like to go with Americas choice wty. Any thoughts on my note from yesterday? Does Saturday work for the walk through?

Scat from my iPhone

On Mar 8, 2010, at 8:35 AM, Michael Haltman <mholtman@hallmarkabstractllc.com> wrote:

Good morning Jeff:

Hope all is well.

I had my contractor at the house over the weekend with an HVAC firm, and it turns out that the separate zone handling the rooms over the garage was not on during your visits to the house. We can have him test the boiler to make sure that it is large enough to handle the entire house if that is acceptable to you. If he reports that a second boiler is in fact required we would be happy to install it. Let me know your thoughts on that.

Also, has a decision been made on the structural warranty?

Mike

Michael Haltman, Partner
Hallmark Abstract Service LLC
131 Jericho Turnpike, Suite 205
Jericho, New York 11753
516.741.4723 (P)
516.338.7538 (F)
mholtman@hallmarkabstractllc.com

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LindaH

From: "Michael Haltman" <mholtman@hallmarkabstractllc.com>
To: "Jeffrey Phlegar" <jeffrey.Phlegar@gmail.com>
Cc: "PC. Adam David Markel" <markel.esq@aol.com>; "Jane R. Kratz" <jkatz@kratzlaw.net>
Sent: Wednesday, March 03, 2010 3:50 PM
Subject: Re: Warranty
Hi Jeff:

My attorney just got off of the phone with Jane's office and here is the situation. You had told me that she would be selecting which of the structural warranties that you would be going with, and Jane's office said that you would be deciding. Figure it out with Jane and let me know as soon as you know. Thanks.

Mike

Michael Haltman, Partner
Hallmark Abstract Service LLC
131 Jericho Turnpike, Suite 205
Jericho, New York 11753
516.741.4723 (P)
516.338.7638 (F)
mholtman@hallmarkabstractllc.com
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LindaH

From: "Michael Haltman" <mhaltman@hallmarkabstractllc.com>
To: "Jeffrey Phlegar" <jeffrey.Phlegar@gmail.com>
Cc: "PC. Adam David Markel" <markel.esq@aol.com>; "Linda Haltman" <lindah@exeterholding.com>; "Jane R. Kratz" <jkratz@kratzlaw.net>
Sent: Wednesday, March 03, 2010 11:18 AM
Subject: Re: Structural warranty

Good morning Jeff:

I reached out to Jane to find the name of the structural warranty company she has chosen(2-10 or Strucsure) and have not heard back. If you speak with her and get the name, please let me know. Have a great day.

Mike

Michael Haltman, Partner
Hallmark Abstract Service LLC
131 Jericho Turnpike, Suite 205
Jericho, New York 11753
516.741.4723 (P)
516.338.7538 (F)
mhaltman@hallmarkabstractllc.com
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To: "PC. Adam David Markel" <markel.esq@aol.com>
Cc: "Jane R. Kratz" <jkratz@kratzlaw.net>
Sent: Tuesday, March 02, 2010 11:14 AM
Subject: Re: Mill Farm contract

Hi Adam:

I just got the text from Jeff that he has signed the contract and will be forwarding it to Jane. Can you ask her to either email a scanned copy or to fax a copy to us. Also, we need to know who to certify the survey to in terms of the lender they are working with, and which of the structural warranty firms that they wish to use (2-10 or Structures).

Thanks Adam.

Mike

Michael Haltman, Partner
Hallmark Abstract Service LLC
131 Jericho Turnpike, Suite 205
Jericho, New York 11753
516.741.4723 (P)
516.338.7538 (F)
mhaltman@hallmarkabstractllc.com
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LindaH

From: "Michael Haltman" <mhaltman@hallmarkabstractllc.com>
To: "PC. Adam David Market" <marketeqs@aol.com>
Cc: "Linda Haltman" <lindah@exeterholding.com>; "BRUCE FRANK" <brucef@exetercolorado.com>; "Enzo Morabito" <enzo.morabito@elliman.com>
Sent: Sunday, February 28, 2010 5:42 PM
Subject: Re: Kratz riders
Hey Adam:

Hope you dug out. Reading over the riders Jane provided there are a couple of things:

In the Supplemental:

SR 4C There is no hot tub at the pool and;

SR 17 We are providing either the Home Buyers Warranty (2-10) or the Strucsure warranty, not both. They are the same thing, and we sent both for them to select the one they prefer.

Speak to you tomorrow.

Mike

Michael Haltman, Partner
Hallmark Abstract Service LLC
131 Jericho Turnpike, Suite 205
Jericho, New York 11753
516.741.4723 (P)
516.338.7538 (F)
mhaltman@hallmarkabstractllc.com
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LindaH

From: "Michael Haltman" <mhaltman@hallmarkabstractllc.com>
To: "Jane R. Kratz" <JKratz@kratzlaw.net>
Cc: "Adam David Markel, P.C." <markel.esq@aol.com>; "Jeffrey Phlegar" <jeffrey.phlegar@gmail.com>
Sent: Friday, February 26, 2010 12:31 PM
Subject: Re: 29 Mill Farm Corp. to Phlegar

Hi Jane:

Just a quick observation from reading your synopsis. Jeff and I had agreed to on or before March 30th as opposed to on or about. We had agreed that in the event the financing was not completed that they would close with cash no later than March 30th.

Mike

On Feb 26, 2010, at 11:25 AM, Jane R. Kratz wrote:

Adam, Michael and Jeff: I attach revised supplemental rider, redlined to indicate changes, proposed escrow agreement, punchlist and limited warranty. I believe we have already agreed upon revisions to the printed form of the contract of sale, which will now reflect an on or about closing date of March 30, 2010. I believe the complete contract of sale will consist of the following: printed form, rider to contract, supplemental rider to contract (attached), legal description, punchlist (attached), escrow agreement (attached), list of covenants, builder's warranty (attached) and three third party warranty forms. Please let me know if the revisions to the supplemental rider are acceptable or provide me with your comments. If in order, I will finalize the complete document for scanning and emailing to Jeff. This transmittal is expressly subject to Jeff's review and approval. Regards, Jane

Jane R. Kratz

Jane R. Kratz, P.C.

223 West Montauk Highway, Suite 102

P.O. Box 742

Hampton Bays, NY 11946

(631) 723-1800-Tel. (631) 723-1804-Fax.

jkratz@kratzlaw.net

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<Supplemental Rider - Phlegar REDLINED (00008735).DOC><escrow agreement - punch list (00008624).DOC><Limitied Warranty Phlegar (00008552-2).DOC><Schedule B repair items - Phlegar-29 Mill Lane (00008563-2).DOC>

Michael Haltman, Partner
Hallmark Abstract Service LLC
131 Jericho Turnpike, Suite 205
Jericho, New York 11753
516.741.4723 (P)
516.338.7538 (F)
mhaltman@hallmarkabstractllc.com
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To: "PC. Adam David Markel" <markesq@aol.com>
Cc: "BRUCE FRANK" <brucef@exetercolorado.com>; "Linda Haltman" <lindah@exeterholding.com>; "Enzo Morabito" <enzo.morabito@elliman.com>
Sent: Thursday, February 25, 2010 10:20 AM
Subject: Re: Mill Farm

Just finished a long conversation with Jeff and here are the results:

- 1) Adam and Jane need to speak to address issues they may have with the structural warranty
- 2) If 2-10 warranty does not include appliances, we may have to provide the original warranty as well, as the warranty for all of the appliances has lapsed. If we use 2-10 and the appliance warranty the cost will be approximately \$7,000 which Enzo had agreed to split with us.
- 3) In the contract will will specify on or before March 30, but they will make their best efforts to close by the 15th. They want this as much as we do because they are leaving town and want to start working on the house, and according to their broker will incur excess costs doing this as a refinance.. If the 30th is not feasible, they will pay all cash.

They are good buyers, and my read is that they want to close once this bullshit is cleared up. We can still entertain new offers, but that process, if we got one today, would take us past March 30th.

Michael Haltman, Partner
Hallmark Abstract Service LLC
131 Jericho Turnpike, Suite 205
Jericho, New York 11753
516.741.4723 (P)
516.338.7538 (F)
mholtman@hallmarkabstractllc.com
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LindaH

From: "Michael Haltman" <mhaltman@hallmarkabstractllc.com>
To: <jkraatz@kratzlaw.net>
Cc: "PC. Adam David Markel" <markesq@aol.com>; "Linda Haltman" <lindah@exeterholding.com>; "Jeffrey Phlegar" <jeffrey.Phlegar@gmail.com>
Sent: Wednesday, February 24, 2010 12:06 PM
Subject: Fwd: Structural warranty and engineers report

Hi Jane;

As per Jeff's email to me, I wanted to find out who the survey should be certified to. I also wanted to find out if you had ordered title yet.

Finally, have you and Jeff made a determination on the structural insurance policy? Thanks.

Mike

Begin forwarded message:

From: Jeffrey Phlegar <jeffrey.phlegar@gmail.com>
Date: February 24, 2010 4:30:14 AM EST
To: Michael Haltman <mhaltman@hallmarkabstractllc.com>
Subject: Re: Structural warranty and engineers report

On Tue, Feb 23, 2010 at 4:38 PM, Michael Haltman <mhaltman@hallmarkabstractllc.com> wrote:
Hi Jeff: PLEASE SEE MY COMMENTS BELOW. BOARDING A PLANE IN A FEW MINUTES, BACK IN NYC THIS EVENING....

Thank you for the engineers report. A couple of items:

1) Jane had mentioned something in her email regarding closing by the end of March due to you having to arrange financing, and it was our understanding that this was to be a cash transaction with a relatively quick time to close after the contract is signed.
PER THE ORIGINAL OFFER, IT WAS NO MORTGAGE CONTINGENCY. BASED UPON THE ORIGINAL TIMELINE OF CONTRACT ANTICIPATED CLOSING IN END OF FEBRUARY, THERE WAS AMPLE TIME TO PUT PARTIAL FINANCING IN PLACE. I HAVE BEEN PRE-APPROVED AND SEEK TO TAKE OUT A CONFORMING MORTGAGE FOR \$700K, SIMPLY TAKING ADVANTAGE OF LOW INTEREST RATES AND LOCKING IN 7-YEAR MONEY AT 4.375%. IF I CAN'T EARN THAT IN THE BUSINESS I AM IN, I SHOULDN'T BE THERE.... THIS IS DEFINITELY NOT A HI-LTV JUMBO OR ANYTHING LIKE THAT. MY MORTGAGE BANKER (AND PERHAPS YOU MIGHT KNOW EVEN BETTER) SAID ITS JUST APPRAISAL AND PROCESSING TIME.

2) We need to know who we would be certifying the survey to. This will take a day or two to obtain. JANE TO PROVIDE
3) Once Jane orders the title report, it should take a week at most to be done. GREAT, I THINK THAT WAS ALREADY DONE.

Exeter
Also, although I fully understand the fact that you would like a structural warranty which we are more than happy to provide, you are also getting the warranty of Exeter which has been in business for over 25 years. In a typical builders transaction, the warranty that you would be receiving is from someone who may or may not be able to stand behind it. In this case you are wearing a tuxedo with both a belt and suspenders. UNDERSTOOD, BUT MY CONCERN HAS BEEN THE NON-TRADITIONAL RELATIONSHIP BETWEEN THE WARRANTY AND THE PROVIDOR. THESE WARRANTIES TYPICALLY COME FROM THE BUILDER AND WE ALL KNOW THESE ARE UNPRECEDENTED TIMES. I SUSPECT THAT MOST SOPHISTICATED BUYERS WOULD LOOK FOR THIS TYPE OF PROTECTION.

LindaH

From: "Michael Haltman" <mhaltman@hallmarkabstractllc.com>
To: "Linda Haltman" <lindah@exeterholding.com>; "PC. Adam David Market" <markelasq@aol.com>
Cc: "BRUCE FRANK" <brucef@exetercolorado.com>; "Enzo Morabito" <enzo.morabito@ellman.com>
Sent: Wednesday, February 24, 2010 6:37 AM
Subject: Fwd: Structural warranty and engineers report

Begin forwarded message:

From: Jeffrey Phlegar <jeffrey.phlegar@gmail.com>
Date: February 24, 2010 4:30:14 AM EST
To: Michael Haltman <mhaltman@hallmarkabstractllc.com>
Subject: Re: Structural warranty and engineers report

On Tue, Feb 23, 2010 at 4:38 PM, Michael Haltman <mhaltman@hallmarkabstractllc.com> wrote:
Hi Jeff, PLEASE SEE MY COMMENTS BELOW. BOARDING A PLANE IN A FEW
MINUTES, BACK IN NYC THIS EVENING....

Thank you for the engineers report. A couple of items:

1) Jane had mentioned something in her email regarding closing by the end of March due to you having to arrange financing, and it was our understanding that this was to be a cash transaction with a relatively quick time to close after the contract is signed.
PER THE ORIGINAL OFFER IT WAS NO MORTGAGE CONTINGENCY. BASED UPON THE ORIGINAL TIMELINE OF CONTRACT ANTICIPATED CLOSING IN END OF FEBRUARY, THERE WAS AMPLE TIME TO PUT PARTIAL FINANCING IN PLACE. I HAVE BEEN PRE-APPROVED AND SEEK TO TAKE OUT A CONFORMING MORTGAGE FOR \$700K, SIMPLY TAKING ADVANTAGE OF LOW INTEREST RATES AND LOCKING IN 7-YEAR MONEY AT 4.375%. IF I CAN'T EARN THAT IN THE BUSINESS I AM IN, I SHOULDN'T BE THERE.... THIS IS DEFINITELY NOT A HI-LTV JUMBO OR ANYTHING LIKE THAT. MY MORTGAGE BANKER (AND PERHAPS YOU MIGHT KNOW EVEN BETTER) SAID ITS JUST APPRAISAL AND PROCESSING TIME.

2) We need to know who we would be certifying the survey to. This will take a day or two to obtain. JANE TO PROVIDE

3) Once Jane orders the title report, it should take a week at most to be done. GREAT, I THINK THAT WAS ALREADY DONE.

Also, although I fully understand the fact that you would like a structural warranty which we are more than happy to provide, you are also getting the warranty of Exeter which has been in business for over 25 years. In a typical builders transaction, the warranty that you would be receiving is from someone who may or may not be able to stand behind it. In this case you are wearing a tuxedo with both a belt and suspenders.
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AGAIN, BOARDING A PLANE IN A FEW MINUTES. HOPEFULLY, THIS CAN BE TIED UP QUICKLY.

REGARDS,

Mike

Page 2 of 4

On Feb 23, 2010, at 4:23 PM, Jeffrey Phlegar wrote:

Michael-

I just spoke with my attorney, we connected and went through some of the outstanding items. Jane is going to forward to you the engineers report and speak with your attorney regarding some questions related to limits, time periods, etc on the warranties. I have one of my analysts taking a look at National Home Insurance, admittedly I am not familiar with it. Once they speak and clear up the remaining items we can schedule the contract signing and begin pulling the required documents. I will be returning to NYC tomorrow evening. Look forward to speaking with you then.

Regards,

On Tue, Feb 23, 2010 at 2:58 PM, Michael Haltman <mholtzman@hallmarkabstractllc.com> wrote:

Hi Jeff:

Just wanted to check-in to see if you and Jane have come to any determination on the structural warranty and engineers report. We have our contractors on hold to take care of the punch list items, and want to get an idea of a timeframe for them. We are hoping to still be in a position to close by the end of the month. Speak to you soon.

Mike

Michael Haltman, Partner
Hallmark Abstract Service LLC
131 Jericho Turnpike, Suite 205
Jericho, New York 11753
516.741.4723 (P)
516.338.7538 (F)
mholtzman@hallmarkabstractllc.com
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7/15/2011

E000191

LindaH

From: "Michael Haltman" <mholtman@hallmarkabstractllc.com>
To: "Jeffrey Phlegar" <jeffrey.phlegar@gmail.com>
Cc: <jkratz@kratzlaw.net>; "PC, Adam David Markel" <markesq@aol.com>
Sent: Tuesday, February 23, 2010 5:38 PM
Subject: Re: Structural warranty and engineers report
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LindaH

From: "Michael Haltman" <mhaltman@hallmarkabstractllc.com>
To: "Jeffrey Phlegar" <jeffrey.Phlegar@gmail.com>
Cc: <jkratz@kratzlaw.net>; "Linda Haltman" <lindah@exeterholding.com>; "Enzo Morabito" <enzo.morabito@elliman.com>; "PC. Adam David Markel" <markel@comcast.net>; "BRUCE FRANK" <brucef@exetercolorado.com>
Sent: Tuesday, February 23, 2010 3:58 PM
Subject: Re: Structural warranty and engineers report
Hi Jeff:

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Mike

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LindaH

From: "Michael Haltman" <mholtman@hallmarkabstractllc.com>
To: "Jeffrey Phlegar" <jeffrey.Phlegar@gmail.com>
Sent: Tuesday, February 23, 2010 2:08 PM
Subject: Re: Underlying Insurer
Hi Jeff:

The underlying insurer for 2-10 is National Home Insurance Company.

Mike

Michael Haltman, Partner
Hallmark Abstract Service LLC
131 Jericho Turnpike, Suite 205
Jericho, New York 11753
516.741.4723 (P)
516.338.7538 (F)
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LindaH

From: "Michael Haltman" <mhaltman@hallmarkabstractllc.com>
To: "Linda Haltman" <lindah@exeterholding.com>; "BRUCE FRANK" <brucef@exetercolorado.com>;
"Enzo Morabito" <enzo.morabito@elliman.com>
Sent: Tuesday, February 23, 2010 6:55 AM
Subject: Fwd: Engineers report

Begin forwarded message:

From: Jeffrey Phlegar <jeffrey.phlegar@gmail.com>
Date: February 23, 2010 5:30:12 AM EST
To: Michael Haltman <mhaltman@hallmarkabstractllc.com>
Co: agentmarlos@yahoo.com
Subject: Re: Engineers report

Michael-

First, I seem to have my technology back..... Second, I reviewed the sample warranty contracts and have sent a note to my attorney with some questions. At face, this seems to address some of the key issues at hand. I am hoping to speak with her late- NY morning. In the meantime, do you know who is the insurance company providing the service? Also, we will discuss the engineers report and revert.

Regards,

Sent from my iPhone

On Feb 22, 2010, at 6:54 PM, Michael Haltman <mhaltman@hallmarkabstractllc.com> wrote:

Hi Jeff:

I did receive the message about your technology glitch from your wife. Thank you for letting me know.

As for the engineers report, the purpose is for the insurance company to ascertain the actual way in which the plans and specs were implemented. The report of the buyers engineer would presumably be extremely objective and critical where need be. Please speak with your attorney about it as the report would help us to expedite the process. Have a great night.

Mike

On Feb 22, 2010, at 6:09 PM, Jeffrey Phlegar wrote:

Michael-

Not sure if my wife dropped you a note, but I am having a bit of a technology crisis i-phone is not working since I landed in Germany. I am in the business center printing out the warranty information and will review in between meetings tomorrow. As for the engineers report, it feels to me like that is similar to sharing an attorney, and a bit out of my comfort zone. I presume that you have the plans and specs for the house and I would think that is what they are most interested in. I did not speak with council today, exchanged emails until the technology glitch - I will be sure to do so tomorrow and see if I am advised differently. I will also drop by the business center in the morning and see if you had any further thoughts. Will be in touch soon.

Regards,

Re: warranty
On Mon, Feb 22, 2010 at 3:31 PM, Michael Haltman
<mhaltman@hallmarkabstractllc.com> wrote:

: Hi Jeff:

I understand that you instructed your attorney to not release the engineers report to us. I was somewhat surprised as this report is one of the pieces that the structural insurance companies needs to see in order to issue a policy. If possible, we would appreciate it if you could provide it to us. Thanks.

Mike

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131 Jericho Turnpike, Suite 205
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Michael Haltman, Partner
Hallmark Abstract Service LLC
131 Jericho Turnpike, Suite 205

7/15/2011

E000196

LindaH

From: "Michael Haltman" <mholtman@hallmarkabstractllc.com>
To: "Jeffrey Phlegar" <jeffrey.phlegar@gmail.com>
Sent: Monday, February 22, 2010 7:54 PM
Subject: Re: Engineers report
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LindaH

From: "Michael Haltman" <mholtman@hallmarkabstractllc.com>
To: "Jeffrey Phlegar" <jeffrey.Phlegar@gmail.com>
Sent: Monday, February 22, 2010 4:31 PM
Subject: Re: Engineers report
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LindaH

From: "Michael Haltman" <mhaltman@hallmarkabstractllc.com>
To: "Jeffrey Phlegar" <jeffrey.Phlegar@gmail.com>
Cc: <jkratz@kratzlaw.net>; "Enzo Morabito" <enzo.morabito@elliman.com>; "PC. Adam David Markel" <markel@ao.com>; "Linda Haltman" <lindah@exeterholding.com>; "Michael Haltman" <mhaltman@hallmarkabstractllc.com>
Sent: Monday, February 22, 2010 2:08 PM
Attach: 2-10stru.pdf; ATT23956.htm; Strucsur.pdf; ATT23959.htm
Subject: Re: Structural warranty
Hi Jeff;

These are the terms and conditions for the two structural home warranty companies that we have been working with. Before we proceed any further, please take a look at both and let us know your thoughts.

Mike

69. Obtain all warranty and operating instructions from the builder for all heating and air conditioning and domestic hot water equipment.
70. Secure all appliance warranty information from the builder.

Judson Report

E000246

Date: August 16, 2012 7:17:15 AM EDT
To: Matthew Sickler <msickler@mhepc.com>
Bcc: Linda H <lhaltman@hallmarkabstractllc.com>
Subject: Re: Duffy

Good morning Matt:

If it's possible to send me the note regarding the Duffy sub-division that we discussed yesterday I would really appreciate. Thanks and have a great day.

Mike

Hallmark Abstract Service LLC

Michael Haltman, President
131 Jericho Turnpike, Suite 205
Jericho, New York 11753
516.741.4723 (P)
516.741.6838 (F)

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From: Michael Haltman <mhaltman@hallmarkabstractllc.com>
Date: August 17, 2012 11:19:30 AM EDT
To: "Matthew Sickler" <msickler@mhepc.com>

Subject: Re: Duffy

Thanks a lot Matt. I just spoke with Tom and he will have everything into Roberta by early next week so that we will be on the schedule for september. Do you anticipate any issues with the Board vote?

On Aug 17, 2012, at 11:19 AM, Matthew Sickler wrote:

Hi Mike,

The Duffy subdivision has already received preliminary approval from the Planning Board. The Board has also assumed lead agency status for SEQRA review purposes and issued a finding that the project will not have a significant environmental impact.

At the time of preliminary approval, I provided Mr. Duffy with a markup of the preliminary plan which contained my technical review comments. Once those comments are addressed by his Engineer, my review will be satisfied. While final approval requires a vote of the Planning Board members, I am unaware of any outstanding issues beyond my technical review comments.

Please let me know if I can provide any additional information at this time.

Matt

Matthew Sickler, P.E.

MH&E P.C.
111 Wheatfield Drive, Suite 1
Milford, Pennsylvania 18337
570-296-2765

From: Michael Haltman [mailto:mhaltman@hallmarkabstractllc.com]

Sent: Thursday, August 16, 2012 7:17 AM
To: Matthew Sickler
Subject: Re: Duffy

Good morning Matt:

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Mike

Hallmark Abstract Service LLC

Michael Haltman, President
131 Jericho Turnpike, Suite 205
Jericho, New York 11753
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From: Michael Haltman <mholtman@hallmarkabstractllc.com>
Date: August 17, 2012 11:39:10 AM EDT
To: "Matthew Sickler" <msickler@mhepc.com>
Bcc: lholtman@hallmarkabstractllc.com
Subject: Re: Duffy

He does doesn't he. I'll keep my fingers crossed but you're absolutely right about the applicant going in with his eyes open. Tom understands the road situation very well. Have a great weekend.

Mike

On Aug 17, 2012, at 11:41 AM, Matthew Sickler wrote:
I don't think so. Howard Shapiro always raises concerns with the cost of the road and whether it is economically feasible. However, the Board typically responds by saying that is up to the applicant to determine.

From: Michael Haltman [mailto:mholtman@hallmarkabstractllc.com]
Sent: Friday, August 17, 2012 11:20 AM
To: Matthew Sickler
Subject: Re: Duffy

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570-296-2765

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From: Michael Haltman <mhaltman@hallmarkabstractllc.com>
Date: September 6, 2012 12:47:32 PM EDT
To: Matthew Sickler <msickler@mhepc.com>
Cc: Linda Haltman <lindah@exeterholding.com>
Subject: Re: Duffy

Hi Matt:

I just wanted to confirm that Duffy had taken care of everything that he needed to for the Tuesday meeting. Thanks.

Mike

Hallmark Abstract Service LLC

Michael Haltman, President
131 Jericho Turnpike, Suite 205
Jericho, New York 11753
516.741.4723 (P)
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Email: mholtzman@hallmarkabstractllc.com

Website: [Hallmark Abstract Service](#)

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From: Michael Haltman <mholtzman@hallmarkabstractllc.com>
Date: September 13, 2012 2:57:57 PM EDT
To: office@bpolaw.com
Subject: Re: Please forward to Bill Bavoso regarding Tom Duffy

Hi Bill:

I went through the documents that you faxed and had a question regarding options available to avert having to either put the cost of the road or a bond for the road. I didn't see where it's discussed and wanted to make sure that I understood. Thanks.

Mike

Dear Michael:

I must have misunderstood your question. I thought the question was whether Mr. Duffy had an alternative to either post the bond or build the road. Those are the only choices. He will have to sign the Development Agreement and choose between posting the bond or building the road.

Thank you.
Bill

William D. Bavoso, Esq.
Bavoso, Plotsky & Onofry, Esqs.
19 E. Main Street
P.O. Box 3139
Port Jervis, New York 12771-3139
845-856-4444

separator.tiff ↴

From: Michael Haltman <mhaltman@hallmarkabstractllc.com>
Date: September 14, 2012 12:18:01 PM EDT
To: tdduffy@optonline.net
Subject: Re: Development Agreement

FYI

Duffy Subdivision Development Agreement .pdf ↴

Hallmark Abstract Service LLC

Michael Haltman, President
131 Jericho Turnpike, Suite 205
Jericho, New York 11753
516.741.4723 (P)
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Email: mhaltman@hallmarkabstractllc.com
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From: Michael Haltman <mholtzman@hallmarkabstractllc.com>
Date: October 3, 2012 1:54:53 PM EDT
To: tdduffy@optonline.net
Subject: Re: Sets of plans

Hey Tom:

Just a reminder to overnight me a complete set of the marked-up plans and revised plans and any additional attachments to the plans. Thanks.

Mike

Hallmark Abstract Service LLC

Michael Haltman, President
131 Jericho Turnpike, Suite 205
Jericho, New York 11753
516.741.4723 (P)
516.741.6838 (F)

Email: mholtzman@hallmarkabstractllc.com
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separator.tiff ↴

From: Michael Haltman <mhaltman@hallmarkabstractllc.com>
Date: October 7, 2012 10:36:15 PM EDT
To: tdduffy@optonline.net
Bcc: Linda H <lhaltman@hallmarkabstractllc.com>
Subject: Re: Plans

Hi Tom:

I spoke to an attorney who has presided over a board like the one we are in front of. He says that if we submit a signed plan with all of the changes including the 1-5 handwritten on the plans that he doesn't see how they can refuse it.

The key is getting it signed. Will Alvin Adlers office do that or do you have someone else who will. When is the deadline to get it into Roberta to be on the November schedule?

Mike

Hallmark Abstract Service LLC

Michael Haltman, President
131 Jericho Turnpike, Suite 205
Jericho, New York 11753
516.741.4723 (P)
516.741.6838 (F)

Email: mholtman@hallmarkabstractllc.com

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From: Michael Haltman <mholtman@hallmarkabstractllc.com>

Date: December 27, 2012 4:03:28 PM EST

To: Tom Duffy <tdduffy57@yahoo.com>

Subject: Re:

Hi Tom:

I will take a look. What about the other files you were going to send me?

Mike

On Dec 26, 2012, at 5:14 PM, Tom Duffy wrote:

Hi Mike,

Attached is a picture of the scissor lift like mine. It is a Genie model GS 2032 and it sells at equipment dealers for \$ 4,900- 9,000. Mine is worth at least \$ 5,000.

I really hated to bring this request to help find a source for a quick \$3,500 loan but I didn't expect to get hit with so many things at the same time.

Had two large jobs not been pushed into mid January it wouldn't be a big deal. The reality is I need this to be able to do everything I need to do to keep everything moving.

This request is definitely short term 30-45 days until other projects get up and running.

Thanks,

Tom
<scissor lift.docx>

From: Michael Haltman <mhaltman@hallmarkabstractllc.com>
Date: July 23, 2012 9:44:32 AM EDT
To: msickler@mhepc.com
Cc: tdduffy@optonline.net, Linda Haltman <lindah@exeterholding.com>
Subject: Re: Duffy sub-division

Good morning Matt:

I hope you had a good vacation.

My name is Mike Haltman and I typically accompany Tom to the Planning Board meetings when his sub-division is on the calendar. My firm is the lender on the property and is extremely interested in seeing his application receive final approval so that we can move forward.

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From: Michael Haltman <mhaltman@hallmarkabstractllc.com>
Date: July 23, 2012 3:05:38 PM EDT
To: "Matthew Sickler" <msickler@mhepc.com>
Subject: Re: Duffy sub-division

Thanks Matt.
On Jul 23, 2012, at 2:03 PM, Matthew Sickler wrote:
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If Tom's engineer takes care of those comments the plan should be good to move forward.
Thanks,

Matt

Matthew Sickler, P.E.

MH&E P.C.
111 Wheatfield Drive, Suite 1
Milford, Pennsylvania 18337
570-296-2765

From: Michael Haltman [mailto:mhaltman@hallmarkabstractllc.com]
Sent: Monday, July 23, 2012 9:45 AM
To: Matthew Sickler
Cc: tdduffy@optonline.net; Linda Haltman
Subject: Re: Duffy sub-division

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From: Michael Haltman <mholtman@hallmarkabstractllc.com>
Date: July 26, 2012 10:38:42 AM EDT
To: "Matthew Sickler" <msickler@mhepc.com>
Cc: Linda Haltman <lindah@exeterholding.com>
Subject: Re: Duffy

Thanks Matt. Do you the deadline for him to get them in so that he's on the August calendar?

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MH&E P.C.
111 Wheatfield Drive, Suite 1
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From: Michael Haltman [mailto:mholtman@hallmarkabstractllc.com]
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To: Matthew Sickler
Subject: Re: Duffy

Hi Matt:

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From: Michael Haltman <mholtman@hallmarkabstractllc.com>
Date: August 6, 2012 8:14:59 AM EDT
To: Matthew Sickler <msickler@mhepc.com>
Subject: Re: Duffy

Good morning Matt:

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Regarding the Duffy sub-division I was wondering if it would be possible to
get a letter briefly stating that once Duffy's engineer makes the requested

changes to the maps that the project would receive final approval and the new maps would be able to be filed.

I am getting pressure from some of my investors and a letter would go a long way towards assuaging their concerns. Let me know if this would be possible. Thanks.

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From: Michael Haltman <mholtman@hallmarkabstractllc.com>
Date: August 6, 2012 8:14:59 AM EDT
To: Matthew Sickler <msickler@mhepc.com>
Subject: Re: Duffy

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From: Michael Haltman <mholtman@hallmarkabstractllc.com>

Date: August 16, 2012 7:17:15 AM EDT
To: Matthew Sickler <msickler@mhepc.com>
Bcc: Linda H <lhaltman@hallmarkabstractllc.com>
Subject: Re: Duffy

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From: Michael Haltman <mhaltman@hallmarkabstractllc.com>
Date: August 17, 2012 11:19:30 AM EDT
To: "Matthew Sickler" <msickler@mhepc.com>

Subject: Re: Duffy

Thanks a lot Matt. I just spoke with Tom and he will have everything into Roberta by early next week so that we will be on the schedule for september. Do you anticipate any issues with the Board vote?

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Hi Mike,

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From: Michael Haltman <mholtman@hallmarkabstractllc.com>
Date: August 17, 2012 11:39:10 AM EDT
To: "Matthew Sickler" <msickler@mhepc.com>
Bcc: lholtman@hallmarkabstractllc.com
Subject: Re: Duffy

He does doesn't he. I'll keep my fingers crossed but you're absolutely right about the applicant going in with his eyes open. Tom understands the road situation very well. Have a great weekend.

Mike

On Aug 17, 2012, at 11:41 AM, Matthew Sickler wrote:

I don't think so. Howard Shapiro always raises concerns with the cost of the road and whether it is economically feasible. However, the Board typically responds by saying that is up to the applicant to determine.

From: Michael Haltman [mailto:mholtman@hallmarkabstractllc.com]
Sent: Friday, August 17, 2012 11:20 AM
To: Matthew Sickler
Subject: Re: Duffy

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516.338.7500 (P)
516.338.7538 (F)
exetertraining@aol.com



Hallmark Abstract Service LLC
<http://www.hallmarkabstractllc.com>

=

From: Michael Haltman <exetertraining@aol.com>
Date: February 22, 2010 2:20:04 PM EST
To: Jim Dougherty <lenderassetsolutions@live.com>
Cc: BRUCE FRANK <brucef@exetercolorado.com>, Linda Haltman <lindah@exeterholding.com>, arnoldfrank6@aol.com
Subject: Re: Fairmont

Thanks Jim. Hard to keep them out. We have decided to move forward with the offer as \$700,000 net to us. Let me know.

Mike
On Feb 22, 2010, at 2:14 PM, Jim Dougherty wrote:
Mike,

Just an FYI. One of my inspectors drove past the building today and you appear to have some homeless people living on the property. Don't know if you can do it, but boarding may help prevent them from gaining access.

Best,

Jim Dougherty

Managing Director

Lender Asset Solutions LLC
PO Box 283
Bearsville, NY 12409-0283

646-401-0214 Office
516-706-4284 Fax
516-359-1451 Mobile

E-mail: Jim.Dougherty@LenderAssetSolutions.com

Website: www.LenderAssetSolutions.com

Please visit and subscribe to our FREE information blog: <http://Resource.LenderAssetSolutions.com>

"Your business is important to us and the highest compliment is a referral based on your relationship with our company."

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=

Best,

Jim Dougherty
Managing Director

Lender Asset Solutions LLC
PO Box 283
Bearsville, NY 12409-0283

845-679-6019 Office
516-706-4284 Fax
516-359-1451 Mobile

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Express your personality in color! Preview and select themes for Hotmail®. Try it now. =

Windows Live™: Keep your life in sync. Check it out. =

From: Michael Haltman <exetertraining@aol.com>
Date: October 5, 2009 12:19:36 PM EDT
To: Jim Dougherty <lenderassetsolutions@live.com>

Cc: Linda Haltman <lindah@exeterholding.com>
Subject: Re: Fairmont

Hey Jim:

The fence has been there, but there is a way in. To the left of the fence you can get in behind it and climb through the window. I will contact the owner but the last time we spoke he did not have the key to the padlock. The owner is very much on board with the fact that a deal would be preferable to foreclosure. Thanks again Jim.

Mike

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Michael Haltman, President
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516.338.7538 (F)
exetertraining@aol.com

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<http://www.hallmarkabstractllc.com>

On Oct 5, 2009, at 12:13 PM, Jim Dougherty wrote:

Mike,

Hope all is well.

See e-mail below. Same broker from last time back with another customer. Has questions about access. It appears the property has been boarded. Would the borrower allow access?

Let me know and I'll respond to him as you see fit.

Best,

Jim Dougherty
Managing Director

Lender Asset Solutions LLC
PO Box 283
Bearsville, NY 12409-0283

845-679-6019 Office
516-706-4284 Fax
516-359-1451 Mobile

www.LenderAssetSolutions.com Website

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Resource.LenderAssetSolutions.com

"Your business is important to us and the highest compliment is a referral based on your relationship with our company."

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From: brown@levitesrealty.com
To: lenderassetsolutions@live.com
Subject: RE: Fairmont
Date: Mon, 5 Oct 2009 11:47:29 -0400

My buyer, Richard, says there is a big wooden fence in front of the

bldg??

He is a little skittish.

Is the lender on decent terms with Owner?? Could he give access, since he will gain something if there is a sale, versus \$0 in Foreclosure?

Rich is a Good prospect

THANKS

Rick Brown
Levites Realty Co. LLC
374 McLean Avenue
Yonkers, NY 10705
914-968-5600
914-709-0193 (fax)
From: Jim Dougherty [mailto:lenderassetsolutions@live.com]
Sent: Saturday, October 03, 2009 9:25 AM
To: Rick Brown
Subject: RE: Fairmont

Rick,

As mentioned in the prior e-mail, the circumstance hasn't changed since your first investor looked at the property.

Best,

Jim Dougherty
Managing Director

Lender Asset Solutions LLC
PO Box 283
Bearsville, NY 12409-0283

845-679-6019 Office
516-706-4284 Fax
516-359-1451 Mobile

www.LenderAssetSolutions.com Website